

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
CIVIL ACTION NO. 5:21-cv-0137-FL**

360 VIRTUAL DRONE SERVICES LLC et)
al.,)
)
Plaintiffs,)
v.)
)
ANDREW L. RITTER, in his official)
capacity as Executive Director of the North)
Carolina Board of Examiners for Engineers)
and Surveyors, et al.,)
)
Defendants.)

SECOND JOINT MOTION TO MODIFY CASE MANAGEMENT ORDER

Plaintiffs and Defendants jointly request that the Court modify the Case Management Order to extend (1) the deadline for Rule 26(e) supplemental disclosures from January 16, 2022, to January 24, 2022; and (2) the discovery cut-off date from February 25, 2022, to March 7, 2022. To minimize disruption to the Court's schedule, the parties agree that there is no need to extend the current dispositive-motion deadline of March 25, 2022.

These proposed modifications are supported by good cause. In accordance with the case schedule now in place, Defendants served their expert-witness disclosures on November 30. Plaintiffs and Defendants are now coordinating dates for Plaintiffs to depose Defendants' expert witness and several fact witnesses. Because Defendants' counsel will be moving his law-firm office in the first part of January, however, he cannot conveniently participate in depositions during that period. The parties therefore contemplate holding the depositions during the week of January 17.

Given these facts, the parties submit that two adjustments to the current Case Management Order are warranted. The plan currently sets Sunday, January 16, as the deadline for Rule 26(e) supplemental disclosures. Because the bulk of Plaintiffs' depositions will take place between January 18 and January 21, the parties request that the Rule 26(e) deadline be extended to Monday, January 24. The parties also request a corresponding extension of the discovery cut-off from February 25 to March 7. If granted, that extension would maintain the current 40-day window between the Rule 26(e) deadline and the discovery cut-off. *See* Case Management Order ¶ A.10 (ECF 24).

To minimize disruption to the schedule, the parties do not request an extension of the March 25, 2022 dispositive-motion deadline.

* * *

For the foregoing reasons, the parties request that the Court enter an order modifying the Case Management Order to extend (1) the deadline for Rule 26(e) supplemental disclosures from January 16, 2022, to January 24, 2022; and (2) the discovery cut-off date from February 25, 2022, to March 7, 2022.

Dated: December 27, 2021.

/s/ Douglas W. Hanna

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Respectfully submitted,

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* *Special Appearance pursuant to Local Rule 83.1(e)*

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Local Civil Rule 83.1(d) Counsel for Plaintiffs

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that I have on December 27, 2021, filed the foregoing **SECOND JOINT MOTION TO MODIFY CASE MANAGEMENT ORDER** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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83.1(e)*